APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/057,394	04/08/98	DE BOOR	A	3228

LM02/0119

ROBERT R SACHS
FENWICK & WEST
TWO PALO ALTO SQUARE
PALO ALTO CA 94306

EXAMINER
BAROT, B

ART UNIT	PAPER NUMBER
2758	5

DATE MAILED:
01/19/00

Please find below and/or attached an Office communication concerning this application or proceeding.

<div align="right">

Commissioner of Patents and Trademarks

</div>

Office Action Summary

Application No. 09/057,394	Applicant(s) Adam De Boor et al.
Examiner Bharat Barot	Group Art Unit 2758

☒ Responsive to communication(s) filed on _Dec 23, 1999_

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters,   **prosecution as to the merits is closed** in accordance with the practice under   *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____ **3** __ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) _1-42_ _____ is/are pending in the applicat

    Of the above, claim(s) _____ is/are withdrawn from consideration

☒ Claim(s) _2-5, 16-30, 33, 34, 38, 40, and 42_ _____ is/are allowed.

☒ Claim(s) _1, 6-15, 31, 32, 35-37, 39, and 41_ _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    ☐ All ☐ Some* ☒ None   of the CERTIFIED copies of the priority documents have been

        ☐ received.

        ☐ received in Application No. (Series Code/Serial Number) _____ .

        ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    *Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- *SEE OFFICE ACTION ON THE FOLLOWING PAGES* ---

DETAILED ACTION

Specification

1.   The lengthy specification has not been checked to the extent necessary to

determine the presence of all possible minor errors. Applicant's cooperation is

requested in correcting any errors of which applicant may become aware in the

specification.

Claim Objections

2.   Claims 2-5, 8-10, and 42 are objected to because of the following informalities :

Claim 2 contains in line 1 "A computer program product for use on..." (Computer

readable medium having instruction or code structure)and in lines 4-5, 9, and 13

"...comprising : a shell for...; a plurality of protocol handlers,...; and a plurality of content

handlers,..." (Apparatus structure) which is improper claim structure. Same argument

applies to the claims 3-5, 8-10, and 42. Please rewrite the claims 2-5, 8-10, and 42 in

one claim structure. Appropriate correction is required.

Claim Rejections - 35 USC § 103(a)

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4.   Claims 1, 11, 39, and 41 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Pepe et al (U.S. Patent No. 5,673,322) in view of Bertram et al (U.S.

Patent No. 5,818,446).

5.   As to claim 1, Pepe discloses a user terminal (a wireless communication device)

which is laptop or personal digital assistant (including a screen display, a memory, and

a processor known in the art at the time the invention was made) comprising :

a user interface providing access to telecommunication functions of the wireless

communication device; and a web browser, that : accesses either the stored user

interface from the local proxy or remotely stored user interface via a

telecommunications network and effects a telecommunication function in response to a

user input to a displayed user interface element (see abstract; figures 2 and 4; column

7 lines 10-44; column 7 line 58 to column 8 line 16; and column 8 lines 26-64).

However, Pepe does not explicitly disclose a plurality of user interface pages

stored in the memory and encoded in a HTML, selected ones of the user interface page

providing access to telecommunication functions of the wireless communication device;

and a HTML browser, that : accesses either the stored user interface page from the

memory or remotely stored pages encoded in the HTML via a telecommunications

network and decodes accessed pages to display user interface element on the screen

display.

Bertram discloses a work station/personal computer (a communication device)

comprising : a screen display; a memory; a processor coupled to the screen display

and the memory (figure 5); a plurality of user interface pages stored in the memory and

encoded in a HTML, selected ones of the user interface page providing access to

telecommunication functions of the communication device; and a browser, that :

accesses either the stored user interface page from the memory or remotely stored

pages encoded in the HTML via a telecommunications network and selects the

appropriate method or process each type of data that is received and access to an

HTML renderer for displaying an HTML page of data which implies that decodes

accessed pages to display user interface element on the screen display (see abstract;

figure 1 and 5; and column 2 line 66 to column 4 line 40).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the plurality of user interface pages and the browser

applications program of Bertram with the user terminal (wireless communication device)

of Pepe because doing so would provide an improved computer system having easily

changeable user interface capabilities that allow automatic or selective modification of

the user interface to suit the preference of a user.

6.   As to claim 11, it is also rejected for the same reasons set forth to rejecting

claims 1 above. Additionally, Bertram discloses an element associated with a URL

encoded within a page, the URL having a protocol component and a data component;

and teaches the steps of : invoking the embedded object, and providing the URL to the

embedded object for processing; and responsive to the embedded object not

processing the URL, fetching content specified by the data component, or executing a

command specified by the data object (see abstract; column 3 lines 26-61; and column

7 line 26 to column 8 line 58).

7.   As to claims 39 and 41, they are also rejected for the same reasons set forth to

rejecting claims 1 and 11 above.

8.   Claims 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Grant (U.S. Patent No.5,854,624) in view of Merriman et al (U.S. Patent No.

5,948,061).

9.   As to claim 6, Grant teaches a method of operating a keypad (read as a wireless communication device) having a plurality of keys (see abstract; figures 2 and 5; column 4 lines 3-24; and column 5 lines 1-67), comprising : receiving a user selection of the key; and effecting the action associated with the user selected key (figures 3 and 5; column 4 lines 25-54; and column 5 lines 1-67).

However, Grant does not explicitly teach the step of : receiving a first HTML page containing a tag defining an association between one of the keys and an action.

Merriman teaches a method of operating a user's browser (read as a communication device) (figure 1; and column 2 line 59 to column 3 line 23), comprising : receiving a message (read as a first HTML page) containing a tag defining an association between one of the objects (read as the keys) and an action (column 3 line 5 to column 4 line 11).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Merriman with the method of Grant for operating a keypad (read as a wireless communication device) having a plurality of keys because doing so would provide targeting of action over networks and control over exposure to users for information appearing on web pages.

10.   As to claim 7, Grant discloses that the action is a URL having a data component

(figure 3; and column 4 lines 41-49) and also teaches the steps of : responsive to the

data component of the URL specifying a second page to be fetched, fetching the

second page, and displaying the second page (figures 3 and 5; column 4 lines 25-49;

and column 5 lines 1-67); and Grant suggests that responsive to the data component of

the URL specifying a telephony command of the communication device, and executing

the telephony command (column 4 lines 25-49; and column 6 lines 1-26).

11.   As to claims 8-10, they are also rejected for the same reasons set forth to

rejecting claims 6-7 above. Additionally, Merriman teaches the steps of : receiving a

message (read as a first HTML page) containing a tag defining an association between

one of the objects (read as the keys) and an action (column 3 line 5 to column 4 line

11); and substring key indicating the page to be provided from the server is to be

embedded and displaying a label on a screen display (column 3 lines 24-63) which

implies that decoding a page including a key tag specifying a key and an action.

12.   Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Baldwin et al (U.S. Patent No.5,877,757) in view of Wright, Jr. (U.S. Patent No.

5,704,029).

13.   As to claim 12, Baldwin teaches a method executed by a communication device

for automatically displaying help data to a user, the communication device including a

screen display (see abstract; figure 7; and column 8 line 55 to column 9 line 28), the

method comprising : displaying a window having a title bar area; and replacing the title

by scrolling first help data in the title bar area (figures 6 and 8; column 8 lines 15-54;

and column 9 lines 29-48).

However, Baldwin does not explicitly disclose that a communication device is a

wireless communication device; and teach the steps of : incrementing a counter of an

amount of time elapsed since a last user input to the communication device; and

responsive to the counter equaling or exceeding a threshold amount of time,

replacing the title by scrolling first help data in the title bar area.

Wright discloses that a communication device is a wireless communication

device (figure 1; column 6 lines 62-67; column 28 lines 18-26; and claims 1 and 13);

and teach the steps of : incrementing a timer (counter) of an amount of time elapsed

since a last user input to the communication device; and responsive to the timer

(counter) equaling or exceeding a predetermined time interval (a threshold amount of

time), notifying the user for further process or displaying information data (see abstract;

figure 9a; column 21 lines 1-31; and column 24 lines 12-25).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Wright with the method of Baldwin

for automatically displaying help data to a user because doing so would provide help
information readily and easily to a user on an efficient manner.

14.   As to claim 13, above remarks rejecting claim 12 equally apply here.
Additionally, Baldwin teaches the steps of : responsive to a completion of scrolling the
first help data : redisplaying the title in the title bar; and replacing the title by scrolling
second help data in the title bar area (figures 6 and 8-9; column 8 lines 15-54; column
9 lines 29-48; and column 9 line 62 to column 10 line 40). Wright teaches the steps of :
resetting the timer (counter); incrementing the timer (counter) of an amount of time
elapsed since the last user input; and responsive to the timer (counter) equaling or
exceeding a predetermined time interval (a threshold amount of time), notifying the user
for further process or displaying information data (see abstract; figure 9a; column 21
lines 1-31; and column 24 lines 12-25).

15.   As to claim 14, Baldwin teaches the steps of : receiving HTML page including a
title tag defining the title and a help tag defining the first help data; storing the first help
data; and displaying the HTML page in the window including displaying the title in the
title bar (figures 6 and 8-9; column 8 lines 15-54; column 9 lines 29-48; and column 9
line 62 to column 10 line 40).

16.   As to claim 15, it is also rejected for the same reasons set forth to rejecting

claims 12-13 above. Additionally, Baldwin teaches the steps of : displaying a window

having a title bar area; replacing the title by scrolling first help data in the title bar area

(figures 6 and 8; column 8 lines 15-54; and column 9 lines 29-48); identifying help data;

and converting into hypertext data, if the identified help data is derived from a native

format (column 4 lines 28-42) which implies that decoding a HTML page including title

tag defining a title of the page and a help tag specifying help data.

17.   Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Merriman et al (U.S. Patent No.5,948,061) in view of Wright, Jr. (U.S. Patent No.

5,704,029).

18.   As to claim 31, Merriman teaches a method executed by a communication

device for automatically displaying advertising data to a user on a screen display of the

communication device, the method comprising : receiving a HTML page containing a

tag including displayable text in a header portion of the page, and a title; displaying on

the screen display the HTML page in a window having the title in a title bar area

(figures 1 and 3s; and column 3 lines 24-63).

However, Merriman does not explicitly disclose that a communication device is a

wireless communication device; and teach the steps of : incrementing a counter of an

amount of time elapsed since a last user input to the communication device; and

responsive to the counter equaling or exceeding a threshold amount of time,

replacing the title by scrolling first help data in the title bar area.

Wright discloses that a communication device is a wireless communication

device (figure 1; column 6 lines 62-67; column 28 lines 18-26; and claims 1 and 13);

and teach the steps of : incrementing a timer (counter) of an amount of time elapsed

since a last user input to the communication device; and responsive to the timer

(counter) equaling or exceeding a predetermined time interval (a threshold amount of

time), notifying the user for further process or displaying information data (see abstract;

figure 9a; column 21 lines 1-31; and column 24 lines 12-25).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Wright with the method of Merriman

for automatically displaying advertising data to a user on a screen display of the

communication device to a user because doing so would display advertising data

readily and easily to a user on an efficient manner.

19.   As to claim 32, it is also rejected for the same reasons set forth to rejecting claim

31 above.

20.   Claims 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Baldwin et al (U.S. Patent No.5,877,757) in view of Kogan et al (U.S. Patent No.

5,809,317).

21.   As to claim 35, Baldwin teaches a method of navigating a page of data in a

communication device including at least one selectable hyperlink, the communication

device including a screen display, the method comprising : scrolling the page in a

direction on the screen display in response to a user input to display only a portion of

the page; and assigning a next hyperlink in the direction of the scrolling and in the

displayed portion of the page to a user selectable key (see abstract; figures 6-8; and

column 8 line 15 to column 9 line 48).

However, Baldwin does not explicitly disclose that a communication device is a

wireless communication device but Baldwin suggests that the invention is applicable to

other communication networks beside the Internet (column 10 lines 40-51); therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made to incorporate the teaching of Baldwin with the wireless communication network

because doing so would increase flexibility and utilization of the user communication

device by using as a wireless communication device.

Baldwin does not explicitly teach that automatically assigning a next visible

hyperlink in the direction of the scrolling.

Kogan explicitly teaches that automatically assigning a next visible hyperlink in

the direction of the scrolling (see abstract; and column 8 lines 45-63).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to incorporate the teaching of Kogan with the method of Baldwin

for navigating a page of data in a communication device because doing so would

improve the ability to establish and maintain arbitrary associations between the various

remotely stored documents.

22.   As to claim 36, it is also rejected for the same reasons set forth to rejecting claim

35 above.

23.   Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grant

(U.S. Patent No.5,854,624) in view of Merriman et al (U.S. Patent No. 5,948,061) as

applied to claims 6-10 above, and further in view of Kogan et al (U.S. Patent No.

5,809,317).

24.   As to claim 37, it is also rejected for the same reasons set forth to rejecting

claims 6-10 above.

Neither Grant nor Merriman explicitly discloses the URL on the display screen in

a visually distinguished manner; and teaches that assigning the URL associated with

the visually distinguished content to the user selected key.

Kogan explicitly discloses that the hyperlink (URL) on the display screen in a visually distinguished manner; and teaches that assigning the hyperlink (URL) associated with the visually distinguished content to the user selected key (see abstract; figure 5; column 7 lines 21-40; and column 8 lines 45-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kogan with the method of Grant and Merriman because doing so would improve the ability to establish and maintain arbitrary associations between the various remotely stored documents.

Allowable Subject Matter

25.   Claims 2-5, 16-30, 33-34, 38, 40, and 42 are allowed.

Additional References

26.   The following references are cited by the examiner as of general interest.

a.   Bates et al, U.S. Patent No. 5,977,972.

b.   Clark, U.S. Patent No. 5,960,074.

c.   Wical, U.S. Patent No. 5,918,236.

d.   Spaur et al, U.S. Patent No. 5,732,074.

Contact Information

27.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to **Bharat Barot** whose telephone number is (703)
305-4092. The examiner can normally be reached on Monday-Friday from 7:00 AM to
4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, **Ahmad Matar**, can be reached on (703) 305-4731. The fax phone number
for examiner's Art Unit or Group is (703) 305-9731.

Any inquiry of general nature or relating to the status of this application should
be directed to the group receptionist whose telephone number is (703) 305-3900.

/3/3/

Patent Examiner Bharat Barot

Art Unit 2758

January 07, 2000

AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700